

Enforcement and Liability

Penalties from the enforcement of federal and state laws provide another incentive for the maritime community to comply with regulated standards, as sanctions range from letters of warning to criminal prosecution. Similarly, expanded liabilities under OPA 90 are another important factor in leveraging change in the maritime industry and influencing the degree to which affected companies emphasize safety and prevention. The expanded limits of liability that apply to regulated vessels and facilities during an oil spill are completely removed if the spill was a result of gross negligence, willful misconduct, or a violation of federal safety, construction, or operating regulations.

Investigation and Continuous Improvement

Even with the most effective prevention measures in place, accidents will occur. Investigations take place after a spill occurs to find the cause and identify ways to prevent future accidents. Investigations may take several paths including legislative action, public involvement to encourage risk reduction, and regulatory changes.

Spill Planning and Preparedness

Facilities and vessels are required to plan for and conduct response actions if an accident occurs. Trained employees can use the plans and drills to their advantage to help minimize damages in the event of a spill. Additional information on this topic is available in a pamphlet titled *Oil Spill Prevention, Planning and Response Measures*.

Suggested References:

Tank Vessel Regulations
46 CFR, Subchapter D, Parts 30–40

Coast Guard's Marine Safety and
Environmental Protection Website
www.uscg.mil/hq/g-m/

Contact Information Oil or Chemical Spill

call the National Response Center at
800-424-8802

Oil Spill Planning

in the Coastal Zone of California, contact
the local U.S. Coast Guard Marine Safety
Office (MSO):

MSO San Francisco Bay
510-437-3073

MSO Los Angeles/Long Beach
562-980-4444

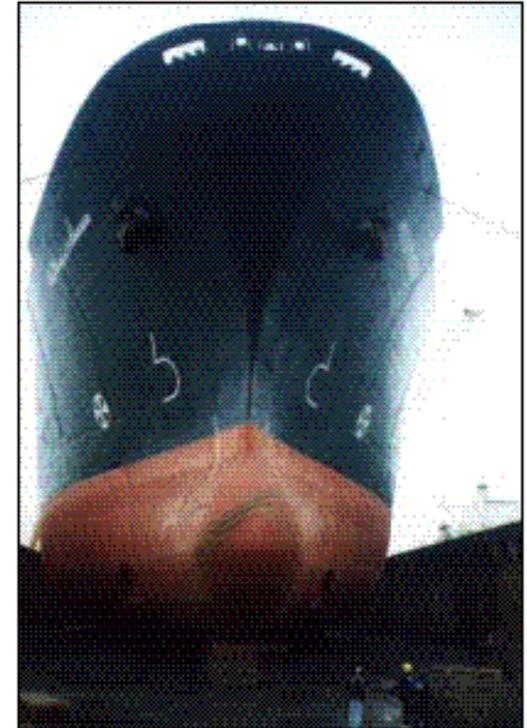
MSO San Diego
619-683-6470

For RRT assistance
in the Inland Zones of California,
Arizona or Nevada,
contact the Region IX office of the
U.S. Environmental
Protection Agency:
415-744-2332

Region IX
Regional Response Team Website:

[http://www.uscg.mil/pacarea/
pm/rrt/rrtmin.htm](http://www.uscg.mil/pacarea/pm/rrt/rrtmin.htm)

MARINE OIL SPILL PREVENTION



A deep draft vessel in drydock for a hull examination
Photo: USCG

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U.S. EPA 415-744-1730

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Introduction

Prevention of an oil spill is our best option to protect the environment. Federal, state, and local agencies work together with industry to reduce the risk of oil spills. At the federal level, the U. S. Coast Guard (USCG) provides services and oversight of commercial mariners to ensure safe commerce and environmental protection. Legislation, regulation, coordinated field efforts to implement requirements, and education of the maritime public help prevent spills and other maritime accidents.

Vessel and Facility Issues

Federal, state, and local agencies regulate oil handling vessels and facilities. Regulations target vessel and facility construction, maintenance, and operations to reduce the threat of oil spills and other undesirable incidents. National procedural and mechanical requirements help maintain a standard of safety on vessels and at oil handling facilities. Vessels that fly the United States flag must pass regular inspections to keep the documents necessary to sail. However, this is not enough since more than 90% of commercial port calls in U.S. waters are by vessels flying foreign flags. To minimize the threat posed by foreign ships, monitoring is conducted to ensure compliance with international standards and applicable U.S. regulations. Foreign vessels are boarded based on a risk ranking derived from several factors such as:

- flag state,
- classification society,
- owner, and
- vessel history.

The risk posed by foreign vessels that may be

substandard is reduced by stepped up U.S. Coast Guard boardings. Also, the Oil Pollution Act of 1990 (OPA 90) required changes in the design of tank ships and tank barges to reduce the threat of oil spills and the volumes spilled when accidents occur. Today, newly constructed vessels that carry oil as cargo are built with double hulls, which provides a void space to eliminate or reduce spillage if an accident occurs. OPA 90 required existing tank vessels to be retrofitted or removed from service in U.S. waters over a 25-year period, based on the vessel's age.



A Coast Guard Inspector checks inside a tank vessel
Photo: USCG

Land-based facilities can also be a source of oil discharges into the environment. Like vessels, land-based facilities are subject to regulation and periodic inspection by federal, state, and local agencies. Secondary containment is required at land-based facility oil tanks to prevent the spread of oil if a leak occurs.

Prevention Through People

The USCG implemented a new strategic over-arching prevention program in 1996,

Prevention Through People (PTP). The PTP program was created because most spills and most serious accidents are caused by human error. PTP emphasizes the role of people in preventing casualties and pollution and seeks to implement cultural change across a number of organizations. Keeping the ocean safe requires responsibility and cooperation among all parties. Organization partnerships and outreach are key to the PTP program. The USCG has signed formal safety partnerships with the American Waterways Organization and the American Petroleum Institute. These partnerships allow for a cooperative effort to achieve safe, environmentally sound, and cost effective marine operations through public education and communication, by creating incentives for safe operations, and ensuring open dialogue on key issues.

On-going Safety Initiatives

Recognizing that different segments of the maritime community have different needs, the USCG is working on various initiatives to minimize the potential of an oil spill as the result of maritime transport of petroleum. International efforts with Port State Control (the efforts of nations to reduce risks from foreign vessels) have enhanced the safety of deep draft vessels, including oil tankers. In July of 1998, the USCG will begin enforcing the International Safety Management (ISM) code for tankers. The USCG will not allow ships and companies into U.S. ports if they fail to meet ISM certification standards. For barges, the USCG will encourage the tank barge community to come into voluntary compliance with the American Waterways Operators' Responsible Carrier Program. Implementation of international and regional safety standards will help prevent maritime accidents and ocean oil spills.